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White Plains, NY
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February 01, 2022

By ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/1/2022

Re: *United States of America v. Brian O'Neill, 22 Cr. 57 (VEC)*

Dear Judge Caproni:

We represent the defendant, Brian O'Neill, in the above referenced matter. We write respectfully to request, pursuant to Rule 10(c) of the Federal Rules of Criminal Procedure, that arraignment in this case be conducted by video teleconferencing. Mr. O'Neill lives in Maryland, with his wife and two young children. Mr. O'Neill consents to arraignment by video teleconferencing, which would save the travel time and costs of the long-distance drive from Maryland to New York and back, and allow Mr. O'Neill to remain with his family. Alternatively, and for the same reasons, we respectfully request, pursuant to Rule 10(b), that arraignment be conducted without Mr. O'Neill's presence, upon a written waiver. Mr. O'Neill is charged by indictment and is prepared to execute a written waiver signed by himself and undersigned counsel affirming that he has received a copy of the indictment and his plea is not guilty, which we would request that the Court accept. We have conferred with counsel for the Government, Assistant United States Attorney Maggie Lynaugh, Esq., and the Government does not object to this request.

We thank the Court for its consideration.

Respectfully submitted,

By: 

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(914)686-1500
Counsel for Defendant Brian O'Neill

Cc: Assistant United States Attorney Maggie Lynaugh, Esq. (by ECF)

Application DENIED. Mr. O'Neill must appear in-person for his arraignment on February 3, 2022 at 12:00 p.m.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

2/1/2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE